



W.P.(MD)No.4882 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2022

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.4882 of 2019

and

W.M.P.(MD)No.3886 of 2019

A.Rathinam

... Petitioner

Vs.

1. The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.

2. The Headmistress,
Government Municipal Girls Hr.Sec.School,
Ramanathapuram – 623 504,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent i.e., the Chief Educational Officer, Ramanathapuram relating to O.Mu.No.1180/A2/2019 dated 11.02.2019 and quash the same and consequently directing the respondents to allow the petitioner to continue in service till the end of



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the academical year i.e., 31.05.2019.

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For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition is filed seeking re-employment after attaining superannuation.

2. The respondents have filed a counter affidavit stating that the petitioner was declined reemployment, since there are surplus teachers in the Department, whereby, the Government is incurring huge loss by paying Rs.37,17,59,509/- and hence, the petitioner is not entitled to. Subsequently, the Government has also issued G.O.Ms.No.261, Educational Department, dated 20.12.2018, whereby, under Clause 7 Sub-clause(iii) it is stated that if there is any surplus teacher in the same school or in the same District, then re-employment shall not be granted on superannuation of the teacher. Therefore, this petition cannot be



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entertained. The petitioner is not entitled to re-employment for the said period.

3. Hence, this Writ Petitions is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

09.12.2022

Index : Yes / No
Internet : Yes / No
jbr

To

1. The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.
2. The Headmistress,
Government Municipal Girls Hr.Sec.School,
Ramanathapuram – 623 504,
Ramanathapuram District.



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S.SRIMATHY, J

jbr

Order made in
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09.12.2022